

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Examine the
Commission's Future Energy Efficiency Policies,
Administration and Programs.

Rulemaking 01-08-028
(Filed August 23, 2001)

**ADMINISTRATIVE LAW JUDGE'S RULING GRANTING MOTION
OF PACIFIC GAS AND ELECTRIC COMPANY
TO SHIFT 2002 ENERGY EFFICIENCY FUNDS**

Summary

This ruling grants the motion of Pacific Gas and Electric Company (PG&E) dated January 17, 2003 to shift 2002 energy efficiency funding among programs the Commission approved in Decision 02-03-056. In that decision, the Commission permitted utilities to shift funds between programs in amounts exceeding 10% with the approval of the assigned Administrative Law Judge (ALJ). PG&E's motion responds to a ruling dated January 10, 2003 seeking additional information from PG&E on a previous motion dated November 17, 2002.

PG&E's Motion to Shift Funds

On November 14, 2002 PG&E filed a motion seeking authorization to make the following budget transfers, totaling \$2,820,000:

1. To transfer to its Appliance Recycling Program up to \$300,000 from its Multi-Family-Residential Energy Efficiency Program, \$200,000 from its Home Energy Survey Program, \$70,000 from its Residential Lighting Program, \$50,000 from its Education and Training Program, and \$200,000 from its Multi-Family-

Residential New Construction Program, for a combined total of \$820,000,

2. To transfer up to \$800,000 from its Multi-Family-Residential Energy Efficiency Program and \$700,000 from its Multi-Family-Residential New Construction Program, for a total of \$1,500,000, to its Single Family-Residential Energy Efficiency Program, and
3. To transfer up to \$500,000 from its Multi-Family-Residential New Construction Program to its Single-Family-Residential New Construction Program.

On January 10, 2003 the assigned ALJ issued a ruling that granted the request to transfer funds to the Appliance Recycling Program (#1 above) but denied PG&E's request to transfer funds to other programs (#2 and #3 above.) The ruling invited PG&E to renew its request in a motion providing additional information (1) to demonstrate that it engaged in reasonable efforts to make the programs from which it proposes to transfer funds succeed, (2) explain its delay in notifying the Commission of the problems, and (3) show that such delay would not recur, and explain why it did not budget adequately for the programs to which it proposes PG&E's Motion to Amend 2003 Funding Application.

On January 17, 2003 PG&E filed an amended motion renewing its request and providing additional information that addresses the issues raised in the January 10, 2003 ALJ ruling.

PG&E has met its burden to demonstrate a need to shift funds as proposed in its motion dated January 17, 2003.

IT IS RULED that Pacific Gas and Electric Company's request to shift funds into its Single-Family-Residential New Construction Program and Single-Family-Residential Energy Efficiency Program is granted as proposed.

Dated March 18, 2003, at San Francisco, California.

/s/ KIM MALCOLM

Kim Malcolm
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Motion Of Pacific Gas And Electric Company To Shift 2002 Energy Efficiency Funds on all parties of record in this proceeding or their attorneys of record.

Dated March 18, 2003, at San Francisco, California.

/s/ KRIS KELLER

Kris Keller

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at

R.01-08-028 KIM/k47

(415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.